



**Montana Department of
ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

December 30, 2008

Newspapers: Livingston (Livingston Enterprise), Bozeman (Bozeman Daily Chronicle), Helena (Independent Record), Billings (Billings Gazette) and Missoula (Missoulian)

RE: Legal Notice on Proposed Five Year Bond Determination and Proposed Bond Release for TVX Mineral Hill, Operating Permit 00100

Dear Editor:

Please place the following notice in the next legal publication section of your Sunday newspaper, and publish the notice for two consecutive weeks:

Legal Notice

RE: Proposed Partial Bond Release and Proposed Bond Determination for TVX Mineral Hill, Operating Permit 00100

The Department of Environmental Quality (DEQ) has completed a review of an application for a partial bond release submitted by TVX Mineral Hill (TVX) in regard to an inactive underground mine located approximately 5 miles northeast of Gardiner, Montana. The site is in Section 8 and 9, Township 9 South, Range 9 East, in Park County. DEQ has also completed a five-year comprehensive bond review.

The current bond of \$5,711,180 consists of \$329,180 for reclamation of land disturbances and \$5,382,000 for water treatment. DEQ proposes to release \$268,715 of the bond for land reclamation to reflect the completed regrading, resoiling, revegetation and weed control of 333.5 acres. Full bond release on these acres would reduce the permit area from 424 acres to 90.5 acres (55.84 acres of mine disturbance and 11.53 acres of roads). Bond coverage in the amount of \$60,465 would be retained to ensure reclamation of the remaining 90.5 acres.

During the course of the five-year bond review, DEQ has determined that the expected flow rate of water needing treatment is less than previously expected. The current bond was calculated based on the treatment of 2.5 gpm. DEQ now anticipates a water flow rate of 1.66 gpm. Based on the reduced flow rate, DEQ proposes to decrease the amount of bond for water treatment from \$5,382,000 to \$3,508,000.

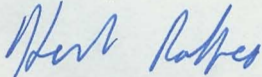
DEQ would retain bond in the total amount of \$3,568,465 (\$60,465 for land reclamation and \$3,508,000 for water treatment).

Any comments on the proposed bond determination must be submitted to DEQ by January 19, 2009. In addition, pursuant to Section 82-4-338(5), MCA, a bond submitted under the Metal Mine Reclamation Act may not be released or decreased until the public has been provided an opportunity for a hearing and a hearing has been held if requested. Any person wanting to request a hearing on the bond release for completed reclamation on the 333.5 acres or the bond decrease for water treatment must submit a request for a hearing by January 19, 2009.

A copy of the bond calculation that forms the basis for the proposed bond determination can be obtained by contacting the Montana Department of Environmental Quality, Environmental Management Bureau, P.O. Box 200901, 1520 E. Sixth Ave., Helena, MT 59620-0901, or by contacting Herb Rolfes at (406) 444-3841 or hrolfes@mt.gov. Comments may be submitted to either the preceding mailing or e-mail addresses.

To expedite payment, please send ***your invoice, tear sheet, and affidavit of publication*** to DEQ at the address below to the attention of Laura Turner indicating that the bill applies to **EMB 5039-0099**. Thank you.

Sincerely,



Herb Rolfes
Operating Permit Section Supervisor
Environmental Management Bureau
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901
(406)444-3841 or email at hrolfes@mt.gov